

Appl. No. 09/884,534  
Atty. Docket No. 8526M  
Amdt. dated October 15, 2004  
Reply to Office Action of July 15, 2004  
Customer No. 27752

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### Listing of Claims:

1. (Currently amended) A liquid rinse-added fabric care composition, the composition characterized by at least two visually distinct phases when the composition is at rest and wherein at least one of the phases contains a fabric care agent, the composition forming a temporary mixture when shaken, the temporary mixture allowing a consumer to dose a representative sample of the composition, the composition re-forming at least two visually distinct phases when at rest; and wherein the fabric care agent comprises a fabric softener active, wherein the composition further comprises a phase separation inducing polymer, wherein the polymer has a molecular weight above about 2000.
2. (Original) The composition of claim 1, wherein at least two phases are present in the form of visually distinct layers when the composition is at rest.
3. (Original) The composition of claim 1, wherein a first phase is suspended in a second phase when the composition is at rest, the second phase being a continuous phase.
4. (Original) The composition of claim 3, wherein the length of the first phase when measured along its shortest axis is larger than about 1 mm.
5. (Original) The composition of claim 1, wherein at least two phases are at least about 1% by volume of the composition when the composition is at rest.
6. (Original) The composition of claim 1, wherein at least two phases contain more than about 1% of water.

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7. (Original) The composition of claim 1, wherein at least two phases contain more than about 0.1% of electrolyte.
8. (Currently amended) The composition of claim 1, wherein the fabric care agent further comprises at least one chosen from the following: a fabric softener active, color care agent, perfume, antibacterial agent, malodor control agent, ultraviolet protection agent, anti-abrasion, anti-wear or fabric integrity agent, wrinkle control agent, or a mixture thereof.
9. (Original) The composition of claim 1, wherein there are first and second phases and the volumetric ratio of the first phase to the second phase is between about 3:1 and about 1:3.
10. (Original) The composition of claim 1, further comprising a dye in at least one of the phases.
11. (Original) The composition of claim 1, wherein the fabric conditioning agent is wherein the fabric care agent is a fabric softener active having a transition temperature below about 30°C in water.
12. (Original) The composition of claim 11, further comprising a solvent.
13. (Original) The composition of claim 11, further comprising an electrolyte.
14. (Original) The composition of claim 11, further comprising a phase modifier
15. (Canceled)
16. (Original) The composition of claim 12, wherein the solvent has a ClogP of from about -2.0 to about 3.
17. (Original) The composition of claim 13, wherein the electrolyte is present at a level such that the ratio of fabric softener active to electrolyte is less than about 50:1.
18. (Original) The composition of claim 14, wherein the phase modifier is present at a level such that the ratio of fabric softener active to phase modifier is between about 2:1 and about 30:1.

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19. (Currently amended) The composition of claim 1, wherein the ratio fabric softener active to polymer is less than about 50:1.
20. (Original) The composition of claim 12, wherein the ratio of fabric softener to solvent is between about 2:1 and about 10:1.
21. (Original) The composition of claim 11, further comprising a dye.
22. (Original) The composition of claim 1, wherein the temporary mixture formed after shaking is sufficiently fluid and uniform to allow the sampling of a representative dose of the composition, said representative dose having a viscosity less than about 10 Pa.sec. when said viscosity is measured within about 1 minute after forming the temporary mixture.
23. (Original) The composition of claim 1, wherein the temporary mixture formed after shaking is sufficiently fluid and uniform to allow the sampling of a representative dose of the composition, said representative dose having an amount of active that varies less than about 5% from the average amount of active present in the total volume of the composition when said dose is sampled within 5 seconds after forming the temporary mixture.
24. (Original) The composition of claim 1, wherein the temporary mixture formed after shaking is sufficiently fluid and uniform to allow the sampling of a representative dose of the composition, said representative dose having an amount of active that varies less than about 10% from the average value of active present in the total volume of the composition when said active is sampled about 15 seconds after forming the temporary mixture.
25. (Original) The composition of claim 1, wherein the temporary mixture formed after shaking will spontaneously form at least two visually distinct phases within about 24 hours when kept at rest.

Claims 26-35 (Canceled).

36. (Original) An article of manufacture comprising:  
a composition of claim 1; and

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a container for the composition, said container having means that enables a consumer to view the visually distinct phases of the composition.

37. (Original) The article of claim 36, further comprising a set of associated instructions instructing a consumer how to activate the composition by forming the temporary mixture.

38. (Original) An article of manufacture comprising:  
a composition of claim 1; and

a container having a cap and an opening for receiving the cap, said container also having removing means adjacent the opening for removing excess composition from the cap.

39. (Original) The article of claim 38, wherein the removing means is an insert affixed to the container that has an inwardly extending wiper.

40. (Original) The article of claim 38, wherein the removing means is a wiper inwardly extending from the container walls

41. (Original) The container according to Claim 38, wherein the cap is a double-walled cap.

42. (Currently amended) A liquid rinse-added fabric care composition, the composition characterized by at least two visually distinct phases when the composition is at rest and wherein at least one of the phases contains a fabric care agent, the composition forming a temporary mixture when shaken, the temporary mixture allowing a consumer to dose a representative sample of the composition, the composition re-forming at least two visually distinct phases when at rest; and wherein the composition comprises a phase separation inducing polymer[()], wherein the polymer has a molecular weight above about 2,000.

43. (Currently amended) A liquid rinse-added fabric care composition, the composition characterized by at least two visually distinct phases when the composition is at rest and wherein at least one of the phases contains a fabric care agent, the composition forming a temporary mixture when shaken, the temporary mixture allowing a consumer to dose a representative sample of the composition, the composition re-forming at least two visually distinct phases when at rest; and wherein the fabric care agent comprises a fabric softener active having a transition temperature below about 30°C in water; and a solvent having a ClotP of from about -2.0 to about

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3[.]; and wherein the composition comprises a phase separation inducing polymer, wherein the polymer has a molecular weight above about 2,000.